

DT05 Rec'd

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BstRESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION

Docket No.:

SWA4338P0080US

10/089491

Applicant(s): Eileen P. Treacy et al.	
Serial No.: 10/089,491	Filing Date: March 28, 2002
Group Art Unit: Not Yet Assigned	Examiner: Unassigned
Invention: Human FMO3 Gene Mutations and Polymorphisms	

Commissioner for Patents  
Box Missing Parts - Fee  
Washington, D.C. 20231

Sir:

Transmitted herewith in response to the Office letter dated October 15, 2002 are:

- ☒ Executed declaration or oath for this application.
- ☒ Response copy of the Notice to File Missing Parts of Application.
- ☐ Statement(s) of Small Entity Status.
- ☒ Other: Statement Under 1.821(f); Amendment
- ☐ Missing Parts surcharge fee for this application.
- ☐ Filing Fee for this application.
- ☒ A check in the amount of \$65.00 to cover the filing fee and/or surcharge. McGill University is a not-for-profit entity and per our Request for Refund dated June 6, 2002, is entitled to Small Entity Status.
- ☐ Charge \$\_\_\_\_\_ to Deposit Account No. 23-0785.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §1.15-§1.17, or credit any overpayment, to Deposit Account No. 23-0785. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

By

Martin L. Katz  
Martin L. Katz, Reg. No. 25,011

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
Citicorp Center, Suite 3800  
500 West Madison Street  
Chicago, Illinois 60661-2511  
312/876-1800

## CERTIFICATE OF MAILING

I hereby certify that this document and fee (if applicable) is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on **December 16, 2002**.

Corinne Byk  
Corinne Byk



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/

10/089491  
23 DEC 2002Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/089,491	Eileen P. Treacy	SWA4338P0080US (WP/1801)

INTERNATIONAL APPLICATION NO.	
PCT/CA00/01118	
LA. FILING DATE	PRIORITY DATE
09/28/2000	09/30/1999

Martin L Katz  
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Chicago, IL 60661-2511

CONFIRMATION NO. 7434

371 FORMALITIES LETTER



\*OC000000008942546\*

Missing PTO Requirements  
12/15/02  
4/15/03

Date Mailed: 10/15/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

RECEIVED  
OCT 22 2002  
WOOD, PHILLIPS, ET AL

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

■ **APPLICANT MUST PROVIDE:**

- A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

- Additional claim fees of **\$874** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$1004** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$874**
  - **\$594** for **33** total claims over 20.
  - **\$280** for multiple dependant claims surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/089,491	PCT/CA00/01118	SWA4338P0080US (WP/1801)